

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

ADELE MORAY

Plaintiff,

v.

NATALIE K. DARAR,

Defendant.

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Civil Action No. 3:11-0371

Jury Demand

PROPOSED INITIAL CASE MANAGEMENT ORDER

A. JURISDICTION: This Court has subject matter jurisdiction pursuant to 28 U.S.C. §1331(a) in that the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between parties that are citizens of different states. Venue is proper under 28 U.S.C. §1391(b), in that the auto accident at issue in this judicial district.

B. BRIEF THEORIES OF THE PARTIES:

PLAINTIFF: This is an auto accident where liability should not be an issue. The scope and extent of the damages, past and future should be the only significant subject of dispute.

DEFENDANT: Ms. Darar admits she caused the accident but denies she is liable for Plaintiff's alleged damages.

C. ISSUES RESOLVED: Jurisdiction and venue. Plaintiff will amend her complaint to state a specific *ad damnum*.

D. ISSUES STILL IN DISPUTE: Scope and causation of the Plaintiff's injuries.

E. INITIAL DISCLOSURES: The parties shall exchange initial disclosures pursuant to FED. R. CIV. P. 26(a)(1) on or before July 19, 2011.

F. DISCOVERY: The parties shall complete all written discovery and depose all fact witnesses on or before October 10, 2011. Discovery is not stayed during dispositive motions, unless ordered by the court. Local Rule 9(a)(2) is expanded to allow 40 interrogatories, including subparts. No motions concerning discovery are to be filed until after the parties have conferred in good faith and, unable to resolve their differences, have scheduled and participated in a conference telephone call with Judge Trauger.

G. MOTIONS TO AMEND: The parties shall file all Motions to Amend on or before November 1, 2011.

H. DISCLOSURE OF EXPERTS: The plaintiff shall identify and disclose all expert witnesses and expert reports on or before November 1, 2011. The defendant shall identify and disclose all expert witnesses and reports on or before January 1, 2012.

I. DEPOSITIONS OF EXPERT WITNESSES: The parties shall depose all expert witnesses on or before April 1, 2012.

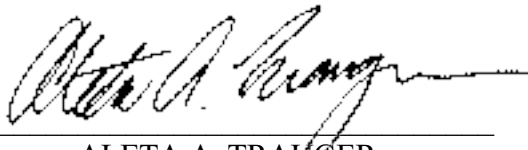
J. JOINT MEDIATION REPORT: The parties shall file a joint mediation report on or before **1/15/2012** ~~May 1, 2011~~.

K. DISPOSITIVE MOTIONS: The parties shall file all dispositive motions on or before May 1, 2012. Responses to dispositive motions shall be filed within twenty (20) days after the filing of the motion. Optional replies may be filed within ten (10) days after the filing of the response. Briefs shall not exceed 20 pages. No motion for partial summary judgment shall be filed except upon leave of court. Any party wishing to file such a motion shall first file a separate motion that gives the justification for filing a partial summary judgment motion in terms of overall economy of time and expense for the parties, counsel and the court.

L. ELECTRONIC DISCOVERY. The parties have reached agreements on how to conduct electronic discovery. Therefore, the default standard contained in Administrative Order No. 174 need not apply to this case.

M. ESTIMATED TRIAL TIME: The parties expect the trial to last approximately 2 days.

It is so **ORDERED**.



ALETA A. TRAUGER
U.S. District Judge

APPROVED FOR ENTRY:

/s C. David Briley

Attorney for Plaintiff

/s Benjamin J. Miller

Attorney for Defendant